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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FOURTH AGE LIMITED, a United Kingdom
corporation; PRISCILLA MARY ANNE REUEL
TOLKIEN, as TRUSTEE OF THE TOLKIEN
TRUST, a United Kingdom Charitable Trust; THE
J.R.R. TOLKIEN ESTATE LIMITED, a United
Kingdom corporation; HARPERCOLLINS
PUBLISHERS, LTD., a United Kingdom corporation;
UNWIN HYMAN LTD., a United Kingdom
corporation; and GEORGE ALLEN & UNWIN
(PUBLISHERS) LTD., a United Kingdom
corporation,

Plaintiffs,

v.

WARNER BROS. DIGITAL DISTRIBUTION, INC.,
a division of WARNER BROS. HOME
ENTERTAINMENT, INC., a Delaware corporation;
WARNER BROS. ENTERTAINMENT, INC., a
Delaware corporation, as successor-in-interest to New
Line Cinema Corp.; WARNER BROS. CONSUMER
PRODUCTS, INC., a Delaware corporation;
WARNER BROS. INTERACTIVE
ENTERTAINMENT, INC., a division of WARNER
BROS. HOME ENTERTAINMENT, INC.; NEW
LINE PRODUCTIONS, INC., a California
corporation; THE SAUL ZAENTZ COMPANY d/b/a
Middle-earth Enterprises, a Delaware corporation; and
DOES 1-10, inclusive,

Defendants.

Case No. CV 12-09912
ABC (SHx)

Hon. Audrey B. Collins

**DECLARATION OF
STEVEN A. MAIER
IN SUPPORT OF
SPECIAL MOTIONS
TO STRIKE THE
WARNER PARTIES'
FIRST
COUNTERCLAIM
FOR BREACH OF
CONTRACT AND
ZAENTZ' SECOND
COUNTERCLAIM
FOR BREACH OF
CONTRACT**

**[Declaration of Ricardo
P. Cestero, Special
Motions to Strike and
Motions to Dismiss
filed concurrently
herewith]**

Date: May 13, 2013
Time: 10:00 a.m.
Courtroom: 680

1 AND RELATED COUNTERCLAIMS.
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4 **DECLARATION OF STEVEN A MAIER**
5

6 I, Steven A. Maier, declare:

7 1. I am a Solicitor duly authorized to practice in the Senior Courts of
8 England and Wales and I am general litigation counsel for plaintiffs Fourth Age
9 Limited, Priscilla Mary Anne Reuel Tolkien, as Trustee of the Tolkien Trust and
10 the J.R.R. Tolkien Estate Limited (the "Tolkien Parties") herein. The facts set forth
11 herein are of my own personal knowledge and if sworn I could and would testify
12 competently thereto.

13 2. Attached hereto as Exhibit Q is a true and correct copy of an
14 unsolicited email I received on September 7, 2010 offering an online slot machine
15 game entitled *The Lord of the Rings, The Fellowship of the Ring Online Slot*
16 *Machine Game* from the "Roxy Palace Online Casino." Initially, I believed this
17 email to be counterfeit and some form of online scam, but, after conducting some
18 limited research on the Internet, I discovered that this game appeared to have been
19 developed under the guise of a purported license from New Line Cinema. On
20 September 8, 2010, I forwarded this email to the Tolkien Parties' United States
21 counsel.

22 3. Later on September 8, 2010, I forwarded a copy of this spam email
23 advertisement to Fredrica Drotos of the Saul Zaentz Company and asked her

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1 whether the online slot machine was genuine. A true and correct copy of my
2 September 8, 2010 email to Ms. Drotos is attached hereto as Exhibit R.

3
4 I declare under penalty of perjury under the laws of the United States of
5 America that the foregoing is true and correct.

6 Executed this 28th day of March, 2013 at Oxford, England.

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10 Steven A. Maier
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